UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,979	02/25/2004	David Yach	P1645US00	8976

63617   7590   07/24/2008

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EXAMINER
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ART UNIT	PAPER NUMBER
2166	

MAIL DATE	DELIVERY MODE
07/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/784,979	YACH ET AL.
	Examiner	Art Unit	
	SHEW-FEN LIN	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-8,10 and 20* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-3,5-8,10 and 20* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

a. This action is taken to response to Request for Continued Examination filed on 4/16/2008.

b. Claims 1-3, 5-8, 10, and 20 are pending in this Office Action. Claims 1 and 20 are independent claims.

c. Rejections and/or objections not reiterated from previous office actions are hereby withdrawn.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 16, 2008 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5-8, 10, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Parker et al. (US Patent Application Publication 2002/0116541, hereinafter Parker) in view

of Heinonen et al. (US Patent 6,633,758, hereinafter Heinonen).

As to claim 1, Parker discloses an electronic device (Figure 1) comprising:

at least one output device for emitting a plurality of different signals (Figure 1, paragraph [0023],

lines 4-9, sound, LED light, vibration); and, a microcomputer (Figure 2, paragraph [0026],

computer) for processing a plurality of calendar appointments within a calendar application;

(paragraph [0006], appointment reminders, paragraph [0020], lines 16-20, calendar events,

paragraph [0051], calendar-type application capable of storing appointments and other calendar-

related item) said microcomputer further configured for executing a plurality of applications

(paragraph [0031], applications, paragraph [0002],[0057], appointment reminders, reception of

email, notified of incoming telephone calls and text messages, note: appointment reminders,

reception of email, call,.. are treated and handled by different applications, see also Heinonen,

column 6, lines 58-60, the user may configure different applications with the user's own

parameter values to better fit the user's needs in each operational mode);

said microcomputer configured to maintain a plurality of profiles (Fig. 1, 114, paragraph

[0024], notification modes/profiles) ; each of said calendar appointment configured to have a

different profile associated therewith (paragraph [0010], [0020], [0053], customized notification

mode in response to events stored in an associated calendar application); each of said profiles

associated with all of said applications (paragraph [0056], [0057, profiles maintain a listing of

the various type of notification events, e.g., key presses, reminders, wireless communication

signals, phone calls, text messages, etc, it is known that reminders, phone calls, text messages are

associated with different applications); each of said applications within each of said profiles

having a plurality of notification behaviours (Figures 5-7, 9, paragraph [0003], audio, LED,

messages, vibration); each of said notification behaviours having an identical set of parameters

for each of said applications (Figure 4, Table 1, paragraph [0035], parameters such as Volume,

Sound Files, Notification Type); each of said notifications behaviours uniquely configurable for

each said profile (Figures 4-7, [0020], each profile may be configured to provide different types

of notifications for a plurality of different types of notification-type events);

said microcomputer configured to maintain a profile settings application; said profile

settings application configured to receive user input for setting said notification behaviours for

each of said applications for each said profile (Figures 3-7, paragraph [0020], [0033], [0034],

each profile may be configured to provide different types of notifications for a plurality of

different types of notification-type events, Application program 302 is executed to create or edit

a notification profile);

said microcomputer configured to derive one of said notification behaviours when one of

said applications executes during one of said plurality of calendar appointments; said notification

behaviour derived from said profile (Figure 9, paragraph [0034]-[0035], Once the user chooses a

particular notification mode, the application program informs the operating system 304 of the

notification mode. Later, once a notification event occurs, the operating system 304 uses the

chosen notification mode to initiate user notifications);

said microcomputer configured to cause said output device to emit one of said signals

corresponding to said notification behaviour derived from said profile (paragraph [0003], [0009],

[0020], [0034], Once in a particular mode the device provides notifications according to that mode).

Parker discloses that profiles may be created that provide for certain notification types, such as sound, for only specific notification events, such as critical reminders (paragraph [0036]), but do not mention explicitly that each of said notification behaviours being uniquely configurable for each of said applications. However, it is known that message and reminder are handled by different applications.

Furthermore, Heinonen discloses each of said notification behaviours being uniquely configurable for each of said applications (Figure 2, items 8, 10, column 2, lines 14-17, setting application specific operational mode parameters in operational modes of communication devices, column 4, lines 41-50, column 5, lines 11-22, each application may have parameter settings that are customized for the application, column 6, lines 58 to column 7, line 12, user's own parameter values to better fit the user's needs in each operational mode. One useful example is sound, warning or alert tones).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Parker's disclosure to include application specific parameters as taught by Heinonen for the purpose of providing different operation parameters (like ring tone, ring volume, silence setting) to pass commands to the application according to parameters (column 2, lines 51-54, Heinonen). The skilled artisan would have been motivated to improve the invention of Parker per the above such that notification behaviour can be further customized based on application specific parameters (column 6, lines 21-42, Heinonen).

As to claim 2, Parker discloses the electronic device of claim 1 wherein said device is selected from the group consisting of a wireless personal digital assistant, a personal computer, a cell telephone, and a smart telephone (small portable computing device, laptop, notebook, paragraph [0001], [0002],[0025]).

As to claim 3, Parker discloses the electronic device of claim 1 wherein said signals are selected from the group consisting of audible (Figure 5, item 108, paragraph [0020], lines 6-7), mechanical (paragraph [0023], lines 7-8) and visual signals (Figure 5, item 110, paragraph [0020], lines 6-7).

As to claim 5, Parker discloses the electronic device of claim 1 wherein said applications is a receipt of an electronic message (email, paragraph [0002], lines 14-18, paragraph [0036]) and said signal identifies said receipt (paragraph [0036]).

As to claim 6, Parker discloses the electronic device of claim 1 wherein said applications is a daily alarm and said signal identifies said alarm (critical reminder, paragraph [0036]).

As to claim 7, Parker discloses the electronic device of claim 1 wherein said electronic device includes functionality of a telephone (paragraph [0057]) and one of said plurality of applications is a receipt of a telephone call (paragraph [0036]).

As to claim 8, Parker discloses the electronic device of claim 1 wherein said profile settings application includes a profile string matcher; said profile string matcher configured to permit a user to predefine a string of text and associate said string of text with one of said profiles; wherein each said calendar appointment is configured to have a profile associated therewith based on one of said strings of text within said profile string matcher (Figures 4-8, paragraph [0036], [0054], the user may set a predetermined profile for all appointments of a particular type, e.g., busy, out of office, tentative, free, etc. Therefore, the user does not have to manually set a profile for each appointment individually, but can set a profile based on the type of appointment in a global manner).

As to claim 10, Parker discloses the method of claim 1 wherein said output devices include a flashing LED output device for emitting a visual signal (alert by light, Figure 1, item 110, Figure 7, item 706) and a speaker for emitting an audible signal (alert by sound, Figure 1, item 108).

As to claim 20, has the same subject matter as of claim 1 and as such rejected under the same rationale.

Response to Amendment and Remarks

Applicant's amendments and remarks have been fully and carefully considered. In response, a new ground of claim analysis based on previously relied on reference has been considered, but they are not deemed to be persuasive.

Applicant argues on page 8 that "...It may be true that message and reminder are handled by different applications but having different applications processing message and reminder does not change the reality that Parker does not teach, suggest or disclose having "each of said notification behaviour being uniquely configurable for each of said application."".

The Examiner respectfully disagrees.

Parker discloses that "As may be appreciated, many other profiles may be created and stored...Additionally, although not shown, profiles may be created that provide for certain notification types, such as sound, for only specific notification events, such as critical reminders" (paragraph [0036]), i.e. profile can be created for specific event only. Since, different events associated with different applications, therefore, even not shown, Parker implicitly teaches that different applications can be associated with different profiles.

Applicant argues on page 9 that "...Parker in combination with Heinonen would result in only one profile per application. Figure 3 of Heinonen shows a process for installing new application where modification of existing operational profiles are contemplated for that individual application. Thus Heinonen may be used to enhance Parker, but only to the extent of modifying an operational profile that is unique to an individual application".

The Examiner respectfully disagrees.

Heinonen discloses that the operational modes of the communication device may be modified by adding the application specific parameters of an application to the operational modes (col. 2, lines 12-24, col. 6, lines 37-38, lines 58-67, when in the meeting, the "meeting" operational mode should be set. For example, in a " meeting" operational mode, where incoming calls may be signaled with a small beep, specific game or E-mail sounds may be turned off, but

some warning tones may still be enabled) and Parker discloses each notification mode has a set

of notification type (for example, "meeting" mode has a set of parameters to define notification

type). The combination of Parker and Heinonen teach for each notification mode (operational

mode), the notification type is modified based on the application specific parameters, i.e. for

each notification mode such as meeting, the notification type will be different based on

applications, such as incoming call, email.

For the above reasons, it is believed that the rejections should be sustained.

Related Prior Arts

The following list of prior art made of record and not relied upon is considered pertinent

to applicant's disclosure.

- Deo; Vinay et al., US 5973612 A, 'Flexible object notification".

- Andrew; Felix G. T. I. et al., US 6990333 B2, "System and method for timed

  profile changes on a mobile device".

- Horvitz; Eric J. et al., US 7243130 B2, "Notification platform architecture".

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The

examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shew-Fen Lin /S. L./
Examiner, Art Unit 2166
July 18, 2008

/Hosain T Alam/
Supervisory Patent Examiner, Art Unit 2166